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Director's Chair

Steven A. Hansen, *President, Executive Director*



Save the date for our Annual Meeting, Thursday, May 19, 2011, at 9:00am, with a continental breakfast starting at 8:30am. Our meeting will be held at the Utah Local Governments Trust Conference Center: 55 South Highway 89, North Salt Lake. We have a great program planned, including remarks from Governor Gary R. Herbert. At high noon our staff will put on our world-class Trust Tailgate barbecue – we'll have live Country and Blue Grass by the Blue Sage Band.

This year we have elections for two Board positions whose terms expire: Representing Cities: Russ Wall, Mayor of Taylorsville, and Representing Counties: Jeff Horrocks, Emery County Commissioner. We invite your nominations and participation in this election. Watch for details and registration information for our Annual Meeting and election. We hope to see you in May.

Is Your District Covered?

Josh McKell, *Account Executive*



With nearly 500 members, the Utah Local Governments Trust insures a wide variety of governmental agencies. Members include some of the largest cities in Utah, to the most rural special service districts in the state. We

believe we provide the best coverage, training, and services for public entities, regardless of their function.

The Trust has always placed a strong emphasis on Special Service Districts, and this year, we've enhanced our efforts in hope of educating those unaware of the benefits and coverage provided through the Trust. Consequently, we have added a significant number of districts that were either newly created, or had been operating without insurance, not knowing if they were in need of coverage.

In terms of insurance, it is important to consider a few items:

1. Are the members of your board covered against claims directed at their actions and decisions?
2. In the event of work-related injury or illness, are employees and volunteers covered?

3. Has an Inter-local agreement been created? If so, exposures associated with the district could lie solely on the district.
4. Are properties, buildings, equipment, or vehicles covered in the event of a loss?

Occasionally, we find that agencies operate under the notion they are covered through the municipality that created them, or the entity they provide services for. Unfortunately, coverage is not always afforded in such circumstances. In this case, a further review may be necessary to discover what insurance is needed.

Beyond providing insurance, the Trust offers many other benefits to help sustain its members. Our Risk Managers provide the best training available for public entities across the state. We also provide programs such as Assistance Grants, used to promote a safer work environment and a culture for safety. Whatever the situation, we are here to assist.

Please contact a member of our Member Services Team with questions related to your insurance coverage, especially those uncertain of whether adequate coverage exists. We look forward to speaking with you!

Utah Local Governments Trust

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Steven A. Hansen
President, Executive Director

Loss Prevention:

Jason Watterson, CIH, ARM-P,
x 1334
Doug Folsom, ARM-P,
x 1329
Lance Mergens,
x 1337

Medical, Dental, Life, Liability, Worker's Compensation, Property, or Auto:

Golden Thomas, x 1331
Travis Garton, x 1315
Greg Baumgartner, x 1324
Ryan Hatch, x 1317
Josh McKell, x 1308
Jill Johnson, x 1306
Suzie Pope, x 1333

Claims:

Chris Rozelle, x 1305





Trusted Recipes

Hot Fudge Sauce
Provided by Jill Johnson,
Account Manager

½ C butter
2/3 C evaporated milk
2¼ C powdered sugar, sifted
5 squares unsweetened chocolate

Combine all ingredients in top of double broiler. DO NOT STIR! Cook over water at low boil for 30 minutes. Do not let steam or any water get into the mixture. It will look like a big glob of goop – don't worry! Remove from heat and hand beat with wire whisk for 10 minutes. As it cools, it will become very smooth and creamy. For best results, follow this recipe exactly and do not substitute anything.



Importance of Property Schedules

Jill Johnson, Account Manager



The first step we take when investigating a Property or Auto Physical Damage claim is to look at the current Property Statement of Values and/or the Vehicle Schedule.

For this reason, it is vitally important for each member to review their schedules often throughout the year and let us know of any additions and deletions. We have seen many situations where a one department purchases new equipment and does not communicate those purchases to the office manager to add the insurance, or when members have a lease agreement and regularly swap out old equipment for newer models. In all cases, schedules need to be accurate for coverage to apply.

We recommend every member designate an employee who is in charge of fixed assets. This employee would proactively communicate with all departments to review your entity's asset schedule along with the Property and Auto schedules to make sure all items are listed. Depending on the size of your operations, this could be done annually or quarterly.

In the near future, members will receive a letter to review their schedules and confirm with us by return fax or mail indicating the schedules are correct, or let us know of any changes. We strongly encourage everyone to make this a top priority. Feel free to contact Jill or Suzie with any questions.

Below is a list of coverages with definitions and examples of common items:

ACCOUNTS RECEIVABLE	Account receivable records of the member
BUILDINGS	Buildings or other structures at premises including additions, fixtures, machinery permanently attached, restrooms, pavilions
BUILDERS RISK	Insurance while buildings are under new construction, should your General Contractor not have it available
BUSINESS INTERRUPTION	Net income that would have been earned, continuing normal operating expenses incurred at time of claim
CONTENTS	Located in the buildings and owned by member, desks, furniture, file cabinets
CONTRACTORS EQUIPMENT	2 or 4 wheels, ATV's, backhoes, tractors, lawn mowers, weed machine
ELECTRONIC DATA PROCESSING	Electronic processing equipment, data and media. Computers, servers, fax machines, printers, postage machine
EQUIPMENT IN THE OPEN	Playgrounds, bleachers, splash pad, slides
FINE ARTS	Owned by member; paintings, sculptures, marbles, bronzes, or similar property of rarity
MOBILE EQUIPMENT	Firemen's equipment, cameras, barricades, message boards, CERT equipment, air compressor
VALUABLE PAPERS	Important papers that are unique or one of a kind, maps, historical documents
MISC EQUIPMENT	Items that don't quite fit into any other category
VEHICLES	All vehicles registered to drive on roads, trailers, motor homes, command centers

ERMC Guest Presenters

Doug Folsom, Risk Manager



An essential component of the new Excellence in Risk Management Certificate (ERMC) program is member participation. Many ULGT members possess a high degree of expertise and are valuable assets to their employers, and potentially to the ULGT pool as a whole.

In order to provide the best resources, as well as some variety to the ERMC program, we invited member employees to participate as presenters at the Human Resources Summit in North Salt Lake and in Washington. John Daniels presented in North Salt Lake, and Judith Mayfield presented in Washington.

John Daniels is the HR Director for Price City and a Cum Laude graduate in Finance from Brigham Young University. John has over 20 years' experience as a business leader and manager. Judith Mayfield is the HR Director for the City of St. George and holds a BA from the University of Toledo and a Master of Organization Development from Bowling Green State University. Judith has also achieved SPHR and IPMA-CP certifications. Even though each presentation covered slightly different materials, they both covered the key issues relevant to the subject and made some very interesting points from varying perspectives.

Our next guest presenter was David Church. David is a graduate of the University of Utah and the University of Utah College of Law, and has more than 30 years' experience in municipal law. David discussed some of the many legal issues associated with the Fair Labor Standards Act as well as other potential employment related legal pitfalls. He also lead us on a discussion of topics such as exempt employee status, overtime, compensatory time, on-call pay, and specific requirements relevant to the employment of minors.

Our fourth guest speaker, Ryan Carter, has been working as an attorney in municipal government since 1997 and has been the City Attorney for Riverton City since 2007. Ryan shared his expertise in developing and implementing disciplinary action programs and procedures, as well as helping us understand the nuances of disciplinary procedures required when addressing various employment actions associated with merit employees.

Each of these presenters at the Human Resources Summit did outstanding jobs! We want to thank John, Judith, David, and Ryan for their significant efforts, preparation, and participation in this popular and well-attended Excellence in Risk Management Program.

Lance Mergens, *Risk Manager*



The Equal Employment Opportunity Commission (EEOC) published the final regulations in implementing the Americans with Disabilities Act Amendments Act (ADAAA). Publishing these regulations to the federal register on March 25, 2011, was done largely to clarify what employee attributes qualify as a disability. I'd like to put what this means to Trust Members into a nutshell.

Since 2008, when George W. Bush signed the amendments act, the ADA regulation already stated that a disability is: an impairment that substantially limits one or more major life activities; OR, a history of this impairment; OR, being "regarded as" having such impairment. This definition of a disability still stands. The part that has changed is the interpretation of this definition, which is intended to reflect EEOC goals. The updated regulation is as follows:

1. Has a physical or mental impairment that substantially limits one or more of that person's major life activities;
2. Has a record of such an impairment; or,
3. Is regarded by the covered entity as an individual with a disability; the individual has been subjected to a prohibited action because of an actual or perceived impairment that is not both transitory and minor.

Oh, and for those of you that may not be aware of what a major life activity is, a non-exhaustive list includes: caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, sitting, reaching, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, interacting with others, and working. This may seem like a long list of things that most people can do but this list was again enhanced with this latest publication.

The next non-exhaustive list includes bodily functions such as: functions of the immune system, special sense organs, and skin, normal cell growth, and digestive, genitourinary, bowel, bladder, neurological, brain, respiratory, circulatory, cardiovascular, endocrine, hemic, lymphatic, musculoskeletal, and reproductive functions, to name a few. The take-home message is if an employee has a condition that substantially limits one of these activities, that employee may be disabled. If the disabled employee asks for accommodation, reasonable accommodation must be provided under the Act.

Other changes of note in this publication are as follows:

- Employers may not consider the use of mitigating measures (other than contacts or eye glasses) when assessing whether an individual has a disability.
- An impairment that is episodic or in remission is a disability if it would substantially limit a major life activity when active.
- The definition of "regarded as" does not require a showing that an employer perceived the individual to be substantially limited in a major life activity.
- Employment actions based on an impairment include actions based on symptoms of, or mitigating measures used for, an impairment.

There are a few more regulations spelled out in the Act that are specifically for the protection of the employee as well as a few limitations to what the employer must provide as reasonable accommodations, but the real question is: how does this affect you?

The direction indicated in the tone of this publication is one

that encourages the employer to find means to accommodate employee impairments when the employee has or is perceived to have a disability. As the definition of disability is now so wide and inclusive, it is wise then to concern yourself with continuing to avoid discrimination because of disability. Next, always award jobs because of the job qualifications of an individual, regardless of whether a reasonable accommodation may be called for in order for an employee to complete the essential job task. Because of the development of these regulations in the amendments act, larger numbers of individuals will enjoy protection and may require accommodations from you as the employing entity. These final regulations are effective on May 24, 2011. I just thought you might like to know.

This 350+ page document can be found at <http://edocket.access.gpo.gov/2011/2011-6056.htm>.

ERMC Update

Jason Watterson, *Risk Manager*



Those of you who are already involved in the Excellence in Risk Management Certificate Program know how well the program is going. Thank you for your participation! We don't think a program of this type has ever been attempted in Utah and it is gratifying that you have heartily supported it.

Here are a few statistics about ERMC:

- We have about 150 active ERMC candidates. It takes a year to complete the program, and you can start any time. Just contact one of the Risk Managers for details.
- More than 85 Member entities represented as ERMC candidates.
- We even have some non-member entities represented because they know the value of the training opportunities. If you represent an entity that is not a Trust Member, and you'd like to participate in this program, please contact one of the Risk Managers.
- Our Human Resources Summit was such a success that we're adding another HR Summit in the Fall! Watch for details!
- Attendance at the Trust offices has been so good that we are taking steps to provide additional seating. Also watch for improvements in our break/refreshment areas!
- The Risk Management Team has logged more miles traveled and nights stayed than we want to remember... but we're glad to do it!
- Sixteen more Training Topics to go this year!

To get the most from the ERMC program, make sure to watch the back page of Trustline for updates as well as for email reminders and mailers of upcoming training dates. RSVP with Marilynn Beesley to make sure we have sufficient materials and facilities for all to attend. Thanks again for supporting the ERMC Program. We are committed to providing value in all we do.



Upcoming Training Calendar

April 12, 2011 | 9-10a
Harassment/Discrimination Prevention
Price City | Room 207
185 E. Main Street | Price, Utah

April 13, 2011 | 8a-12p
Defensive Driving
Washington Community Ctr | Multi-Purpose Rm
350 N. Community Center Dr | Washington, Utah

April 19, 2011 | 9a-3p
Safety 101
Moab City | Council Chambers
217 E. Center Street | Moab, Utah

April 20, 2011 | 9a-3p
Safety 101
Washington Community Ctr | Multi-Purpose Rm
350 N. Community Center Dr | Washington, Utah

May 4, 2011 | 8a-12p
Defensive Driving
Vernal City | Community Room
374 E. Main Street | Vernal, Utah

May 10, 2011 | 9-10a
Harassment/Discrimination Prevention
Moab City | Council Chambers
217 E. Center Street | Moab, Utah

May 17, 2011 | 9a-1p
Parks and Recreation Summit
Washington Community Ctr | Multi-Purpose Rm
350 N. Community Center Dr | Washington, Utah

May 18, 2011 | 9a-1p
Parks and Recreation Summit
Trust Office | Conference Room
55 South Highway 89 | North Salt Lake, Utah

June 7, 2011 | 9-10a
Harassment/Discrimination Prevention
Blanding City | Council Chambers
50 West 100 South | Blanding, Utah

June 8, 2011 | 8a-12p
Defensive Driving
Moab City | Council Chambers
217 E. Center Street | Moab, Utah

June 15, 2011 | 9a-1p
General Liability Summit
Trust Office | Conference Room
55 South Highway 89 | North Salt Lake, Utah

June 16, 2011 | 9a-1p
General Liability Summit
Washington Community Ctr | Multi-Purpose Rm
350 N. Community Center Dr | Washington, Utah

June 20, 2011 | 9a-12p
Lockout Tagout/Hazard Communication
Hyrum City | Civic Room
83 W. Main Street | Hyrum, Utah

June 21, 2011 | 9a-12p
Lockout Tagout/Hazard Communication
Trust Office | Conference Room
55 South Highway 89 | North Salt Lake, Utah

June 22, 2011 | 9a-12p
Lockout Tagout/Hazard Communication
Vernal City | Community Room
374 E. Main Street | Vernal, Utah

June 23, 2011 | 9a-12p
Lockout Tagout/Hazard Communication
Price City | Room 207
185 E. Main Street | Price, Utah

June 28, 2011 | 9a-12p
Lockout Tagout/Hazard Communication
Moab City | Council Chambers
217 E. Center Street | Moab, Utah

June 29, 2011 | 9a-12p
Lockout Tagout/Hazard Communication
Washington Community Ctr | Multi-Purpose Rm
350 N. Community Center Dr | Washington, Utah

July 6, 2011 | 8a-12p
Defensive Driving
Trust Office | Conference Room
55 South Highway 89 | North Salt Lake, Utah

July 7, 2011 | 8a-3:30p
First Aid/CPR
Trust Office | Conference Room
55 South Highway 89 | North Salt Lake, Utah

July 7, 2011 | 9-10a
Harassment/Discrimination Prevention
Cedar City | Council Chambers
10 N. Main Street | Cedar, Utah

July 11, 2011 | 9a-12p
Train the Trainer: Safety Topics/Adult Education
Hyrum City | Civic Room
83 W. Main Street | Hyrum, Utah

July 12, 2011 | 9a-12p
Train the Trainer: Safety Topics/Adult Education
Trust Office | Conference Room
55 South Highway 89 | North Salt Lake, Utah

July 13, 2011 | 9a-12p
Train the Trainer: Safety Topics/Adult Education
Vernal City | Community Room
374 E. Main Street | Vernal, Utah

July 14, 2011 | 9a-12p
Train the Trainer: Safety Topics/Adult Education
Price City | Room 207
185 E. Main Street | Price, Utah

July 19, 2011 | 9a-12p
Train the Trainer: Safety Topics/Adult Education
Moab City | Council Chambers
217 E. Center Street | Moab, Utah

July 20, 2011 | 9a-12p
Train the Trainer: Safety Topics/Adult Education
Washington Community Ctr | Multi-Purpose Rm
350 N. Community Center Dr | Washington, Utah

July 27, 2011 | 8a-12p
Defensive Driving
Lehi City | Council Chambers
153 North 100 East | Lehi, Utah

Land Use Training

Utah League of Cities and Towns, in conjunction with Utah Local Governments Trust, will provide land use training: review creative options allowed by law to address appeal issues and the protocols for an appeal authority; the basics of due process; the burden of proof; the process of deliberation; variances; making land use decisions.

For: Members of appeal authority; mayors; council members; staff
Date: Wednesday, April 14, 2011 | 6:30-8:30pm
Location: Dixie Center, Entrada Room | St. George

This training is the opening event for the League's Midyear Conference. If you are not attending the conference, but want to attend this training, there is a fee of \$20 (you will be billed after the event).

Registration is required for all training.
Please contact Marilynn Beesley:
801.936.6400; 800.748.4440
mbeesley@ulgt.org

Employee of the Quarter: Brady Loveland

Congratulations to Brady Loveland who was nominated by department managers as Employee of the Quarter. Comments about Brady included:

- Mr. Megahertz
- Always trying to stay on top of things
- Genuine Concern

- Sharp
- Focused
- Dependable
- Innovative
- Friendly
- Willing to stick with it

